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Attorneys for Defendants

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

NATHANIEL SEAN BOWDEN,)	No. C 07-5269 MEJ
JUNELLE HARRIS,)	
)	
Plaintiffs,)	
)	JOINT REQUEST TO BE EXEMPT FROM
v.)	FORMAL ADR PROCESS; PROPOSED
)	ORDER
ROBIN L. BARRETT, Field Office)	
Director, USCIS San Francisco District)	
Office; EMILIO T. GONZALEZ, Director,)	
U.S. Citizenship and Immigration Services;)	
MICHAEL CHERTOFF, Secretary,)	
Department of Homeland Security;)	
ROBERT S. MUELLER, Director, Federal)	
Bureau of Investigation; MICHAEL B.)	
MUKASEY,* U.S. Attorney General,)	
)	
)	
Defendants.)	

Each of the undersigned certifies that he or she has read either the handbook entitled “Dispute Resolution Procedures in the Northern District of California,” or the specified portions of the ADR Unit’s Internet site <www.adr.cand.uscourts.gov>, discussed the available dispute resolution options provided by the court and private entities, and considered whether this case might

*Pursuant to Fed. R. Civ. P. 25(d)(1), Michael B. Mukasey is substituted for his predecessor, Alberto Gonzales, as the United States Attorney General.

ADR CERTIFICATION
 No. C 07-5269 MEJ

benefit from any of them.

Here, the parties agree that referral to a formal ADR process will not be beneficial because this mandamus action is limited to Plaintiffs' request that this Court compel Defendants to adjudicate an application for adjustment of status. Given the substance of the action and the lack of any potential middle ground, ADR will only serve to multiply the proceedings and unnecessarily tax court resources. Accordingly, pursuant to ADR L.R. 3-3(c), the parties request the case be removed from the ADR Multi-Option Program and that they be excused from participating in the ADR phone conference and any further formal ADR process.

Dated: January 3, 2008

Respectfully submitted,

SCOTT N. SCHOOLS
United States Attorney

/s/
MELANIE L. PROCTOR¹
Assistant United States Attorney
Attorney for Defendants

Dated: January 3, 2008

/s/
ROBERT B. JOBE
Law Office of Robert B. Jobe
Attorneys for Plaintiffs

ORDER

Pursuant to stipulation, IT IS SO ORDERED.

Date:

MARIA-ELENA JAMES
United States Magistrate Judge

¹I, Melanie L. Proctor, hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/) within this efiled document.